

**DRAFT MITIGATION MONITORING AND REPORTING PROGRAM
THE MALIBU INSTITUTE**

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| 5.1-1 | Aesthetics | Building materials compatible in color tone and/or texture with the surrounding natural terrain shall be employed on the exteriors of all structures and retaining walls, with the exception of solar panels to be installed above the parking lot shade structures. | Submit building material color and/or texture for review and approval | Prior to issuance of applicable building permit(s) | Architect, Landscape Architect | County of Los Angeles Department of Regional Planning |
| 5.1-2 | Aesthetics | Aesthetically compatible native landscaping shall be provided along the Project entrance (Clubhouse Drive) to screen vehicle lights within onsite parking and driveway areas from Encinal Canyon Road. | Prepare and submit Landscaping Plan for review and approval | Prior to issuance of building permit | Applicant, Landscape Architect | County of Los Angeles Department of Regional Planning |
| 5.1-3 | Aesthetics | The applicant's detailed landscape plan shall be designed to provide aesthetically compatible accenting to and/or visual screening of the Project's hardscape features and walls, as viewed from the identified public viewpoints. With the exception of the golf course greens and turf, the majority of the landscaping shall use native species of plants, shrubs and grasses. Prior to the issuance of building permits, the landscaping plan shall be reviewed and approved by the County of Los Angeles Department of Regional | Prepare and submit Landscaping Plan for review and approval | Prior to issuance of building permit | Applicant, Landscape Architect | County of Los Angeles Department of Regional Planning Los Angeles County Fire Department – Fuel Modification Unit. |

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| | | <p>Planning and Fire Department, and shall address the following:</p> <ul style="list-style-type: none">• Landscaping shall be provided in a manner consistent with fire safety needs, to help conceal visible linear elements and hard edge surface effects resulting from site grading, the use of retaining walls, and the construction of new buildings.• Street trees and median trees, compatible with the adjacent undeveloped areas, shall be planted along Clubhouse Drive, and at the main entrance adjacent to Encinal Canyon Road.• Appropriate landscaping, including trees and vegetated walls, shall be planted to minimize views of retaining walls.• Project landscaping shall consist of native fire retardant species included on the Los Angeles County Fire Department Fuel Modification Plan Guidelines, located to partially screen views of the | | | | |

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| | | structural components of the Project from public viewpoint areas as identified above under the subheading Existing Views from Scenic Highways and Trails. Landscaping shall be compatible with the character of the surroundings and architectural style of the structures. | | | | |
| 5.2-1 | Air Quality | <p>The applicant shall prepare a Construction Management Plan to comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust emissions. The Plan shall include the following dust control measures:</p> <ul style="list-style-type: none"> The simultaneous mass grading disturbance area shall be limited to 10 acres per day. Application of soil stabilizers to inactive areas according to manufacturers specifications (previously graded areas inactive for ten days or more); Preparation of a high wind dust control plan, | A. Prepare and submit Construction Management Plan for review and approval | Prior to issuance of grading permit | Applicant, Grading Contractor | County of Los Angeles Department of Regional Planning SCAQMD |
| | | | B. Maintain a log demonstrating compliance | During construction | Applicant, Grading Contractor | County of Los Angeles Department of Regional Planning SCAQMD |

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| | | <p>implementation of plan elements, and termination of soil disturbance when winds gusts exceed 25 mph;</p> <ul style="list-style-type: none"> • Stabilization of previously disturbed areas if subsequent construction is delayed; • Covering all stockpiles with tarps if left unattended for more than 48 hours; • All trucks hauling dirt, sand, soil or other loose materials are to be covered; • Appoint a construction relations officer to act as community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation. • Portions of the site that are undergoing surface earth moving operations shall be watered. Exposed surfaces and haul roads will be watered three times/day. • Vegetative cover to be utilized onsite shall be planted as soon as possible | | | | |

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| | | <p>to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.</p> <ul style="list-style-type: none"> Construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph. Grading operations shall be suspended during any first stage ozone episodes. | | | | |
| 5.2-2 | Air Quality | <p>Non-particulate construction activity emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, the following control measures shall be implemented:</p> <ul style="list-style-type: none"> Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling. | A. Maintain a log demonstrating compliance | During construction | Applicant, Grading Contractor | County of Los Angeles Department of Regional Planning SCAQMD |
| | | | B. Site inspection as needed | During construction | Applicant, Grading Contractor | County of Los Angeles Department of Regional Planning |

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| | | <ul style="list-style-type: none"> Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard. Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. Tier 3 rated engines shall be used for all equipment during site grading, if available. Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available. Construction operations affecting off-site roadways shall minimize obstruction of through-traffic lanes and shall be limited to off-peak hours, as permitted. Truck deliveries occurring during construction shall be consolidated to the extent | | | | SCAQMD |

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| | | feasible. <ul style="list-style-type: none"> • Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law. • On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters if feasible. • All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations. • Construction equipment operations shall be suspended during any first stage smog alert. • Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings. | | | | |

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| 5.2-3 | Air Quality | Operational emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, to further reduce potential operational emissions, the applicant shall install gas lines for any hearth applications and prohibit wood burning in Project hearths. | A. Install gas lines for any hearths | Prior to certificate of building occupancy | Applicant, Architect | County of Los Angeles Department of Regional Planning |
| | | | B. Prohibit wood burning in hearths and provide notification of this policy to guests. Maintain a log demonstrating compliance. | During operation | Applicant | County of Los Angeles Department of Regional Planning |
| 5.3-1 | Biological Resources | Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Applicant as the lead biological monitor subject to the approval of the LACDRP and CDFW. That person shall ensure that impacts to all biological resources are minimized or avoided, and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of | A. Provide proof of retainer of biological monitor | Prior to issuance of grading permit | Applicant | County of Los Angeles Department of Regional Planning |
| | | | B. Have the monitoring reports available for review upon request | During construction | Applicant, biological monitor | County of Los Angeles Department of Regional Planning |

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| | | grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g. avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc) are prepared, and shall make these monitoring reports available to LACDRP and CDFW at their request. | | | | |
| 5.3-2 | Biological Resources | To compensate for the loss of the locally sensitive Plummer's mariposa lily, Plummer's mariposa lilies shall be replaced at a minimum 2:1 ratio within suitable habitats on the Project site in an area to be preserved as permanent open space. A Plummer's Mariposa Lily | A. Prepare and submit Plummer's Mariposa Lily Mitigation and Monitoring Plan | Prior to issuance of grading permit | Applicant / biological consultant | County of Los Angeles Department of Regional Planning |
| | | | B. Implement | Beginning prior | Applicant / | County of Los |

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| | | <p>Mitigation and Monitoring Plan that provides for the replacement of the Plummer's mariposa lilies impacted by project construction shall be developed by a qualified biologist and approved by LACDRP prior to issuance of the grading permit for the Project. The Plan shall specify the following:</p> <ul style="list-style-type: none"> • a summary of impacts; • the location of the mitigation site; • methods for harvesting seeds or salvaging and transplantation of individual bulbs to be impacted; • measures for propagating plants or transferring living bulbs from the salvage site to the mitigation site; • site preparation procedures for the mitigation site; • a schedule and action plan to maintain and monitor the mitigation area; • criteria and performance standards by which to measure the success of the mitigation, including replacement of impacted | <p>Plummer's Mariposa Lily Mitigation and Monitoring Plan</p> | <p>to the initiation of construction activities and continuing for five years subsequent to occupancy</p> | <p>biological consultant</p> | <p>Angeles Department of Regional Planning</p> |
| | | | <p>C. Prepare Annual and Final Monitoring Reports</p> | <p>Every March for five years following project occupancy or until all performance standards have been met, whichever period is longer</p> | <p>Applicant / biological consultant</p> | <p>County of Los Angeles Department of Regional Planning</p> |

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| | | <p>lilies at a minimum 2:1 ratio;</p> <ul style="list-style-type: none"> • measures to exclude unauthorized entry into the mitigation areas; and • contingency measures such as replanting or weeding in the event that mitigation efforts are not successful. <p>The performance standards for the Plummer's Mariposa Lily Mitigation and Monitoring Plan shall be at a minimum the following:</p> <ul style="list-style-type: none"> • Within five years after introducing the Plummer's mariposa lily to the mitigation site, the number of established, reproductive plants shall be no less than 2x the number of those lost to project construction, and; • Non-native species relative cover shall be no more than 5% through the term of the restoration. <p>The mitigation project shall be initiated prior to development of the Project, and shall be implemented over a five-year period following</p> | | | | |

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| | | occupancy or until performance standards are met, whichever period is longer. The mitigation project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the Plan, as necessary, to achieve desired outcomes and meet performance standards. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to LACDRP. Five years after the start of the mitigation project, a final report shall be submitted to LACDRP, which shall at a minimum discuss the implementation, monitoring and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established performance standards. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. The mitigation project shall be extended if performance standards have not been met to the | | | | |

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| | | satisfaction of LACDRP at the end of the five-year period. | | | | |
| 5.3-3 | Biological Resources | Pre-construction Biological Surveys and Biological Monitoring Prior to commencement of ground or vegetation disturbing activities, including but not limited to grading, pond maintenance, and landscaping activities in native chaparral, coastal sage scrub, riparian, or aquatic habitats, as well as in landscaped areas, a qualified biologist shall conduct weekly pre-construction surveys for special-status wildlife species beginning no less than thirty (30) and ending no more than three (3) days prior to the commencement of disturbance. The pre-disturbance surveys shall incorporate methods to detect the special-status wildlife species that could potentially occur at the site. To the extent feasible, special-status species shall be avoided. If avoidance is not feasible, the species shall be captured and transferred to an appropriate habitat and location where they would not be harmed by project activities. Two-striped garter snakes shall be | A. Conduct weekly pre-construction surveys | Prior to issuance of grading permit, ongoing searches thereafter | Applicant / biological consultant | County of Los Angeles Department of Regional Planning California Department of Fish and Wildlife United States Fish and Wildlife Service |
| | | | B. Prepare letter report to LACDRP, CDFW, and USFWS, if applicable, on special-status species avoidance measures | Prior to issuance of grading permit, ongoing searches thereafter | Applicant / biological consultant | County of Los Angeles Department of Regional Planning California Department of Fish and Wildlife United States Fish and Wildlife Service |

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| | | relocated to permanent aquatic habitats that are downstream and as close as feasible to the Project site. | | | | |
| 5.3-4 | Biological Resources | Pre-construction Surveys for Shoulderband Snails Prior to construction of the Project, a qualified biologist shall conduct a habitat assessment to locate all suitable chaparral, coastal sage scrub, and coastal scrub habitats within and directly adjacent to the limits of disturbance that may potentially support the Trask shoulderband snail (<i>Helminthoglypta traskii traskii</i>). Prior to ground or vegetation disturbing activities, a terrestrial snail specialist shall conduct surveys in suitable habitats for the Trask shoulderband snail. | A. Conduct habitat assessment by qualified biologist | Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete. | Applicant / biological consultant | County of Los Angeles Department of Regional Planning |
| | | | B. Conduct survey of suitable habitat by terrestrial snail specialist for Trask shoulderband snail | Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete. | Applicant / biological consultant | County of Los Angeles Department of Regional Planning |
| | | The surveys shall be conducted in the winter to maximize the potential for detecting live snails. The project area shall be subject to a minimum of five (5) visual surveys, preferably spaced one (1) week apart, although surveys spaced more frequently may be acceptable in | C. Prepare and submit report to LACDRP | Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete. | Applicant / biological consultant | County of Los Angeles Department of Regional Planning |

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| | | <p>order to take advantage of wet weather. Surveys may be conducted during periods of rain, dense fogs, or heavy dews, but shall not be conducted during dry weather conditions.</p> <p>Each survey shall involve a general search for key features and likely places for snails followed by more intensive searching of areas with key habitat features. Surveys shall focus on careful examination of soil, leaf litter, downed wood, debris piles, beneath rocks and vegetation, and the undersides of branches and leaves. The U.S. Fish and Wildlife Morro shoulderband snail (<i>Helminthoglypta walkeriana</i>) Protocol Survey Guidelines (June 2003) may be referred to for additional guidance on surveying for <i>Helminthoglypta</i> snails.</p> <p>If Trask shoulderband snails are found, they shall be moved to suitable habitat on the Malibu Institute property, such that the snails would not be subject to direct or indirect harm by the project, and</p> | | | | |

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| | | <p>would not migrate back into the project area. Handling time shall be minimized and attractants shall not be used, so as to avoid inadvertently attracting vandals or predators of the snail.</p> <p>The survey shall be valid for two years. Following the two-year period, surveys shall be required prior to new ground or vegetation disturbance in suitable habitat.</p> <p>Prior to the issuance of a grading permit, the surveying biologist shall provide a report to LACDRP covering the survey methods and results, including maps, photographs, and field notes documenting the area surveyed and any Trask shoulderband snails that were identified and relocated.</p> | | | | |
| 5.3-5 | Biological Resources | <p>Capture, Management, and Release of Western Pond Turtles</p> <p>A Western Pond Turtle Mitigation and Monitoring Plan for the avoidance of impacts to the western pond turtle shall be prepared by a qualified biologist and approved by LACDRP and the CDFW prior to</p> | A. Prepare and submit a Western Pond Turtle Mitigation and Monitoring Plan | Prior to issuance of grading permit | Applicant / biological consultant | <p>Los Angeles County Department of Regional Planning</p> <p>California Department of</p> |

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| 5.3-5 | Biological Resources | <p>issuance of the grading permit for the Project. The Plan shall involve the capture of all western pond turtles at the Project site, the temporary containment and maintenance of the captured turtles at a suitable on-site or off-site location, and the release of the turtles back to the ponds at an appropriate time when the ponds would provide suitable habitat and the turtles would no longer be threatened by Project activities. The Plan shall at a minimum specify the following:</p> <ul style="list-style-type: none"> • timing and methods of capture and removal of the turtles, and turtle eggs if applicable, from the golf course ponds and elsewhere within the Project limits; • site conditions necessary for the release of the turtles back to the ponds; • methods for release to the ponds; • monitoring program to document the status and condition of the turtle population following the | A. Prepare and submit a Western Pond Turtle Mitigation and Monitoring Plan | Prior to issuance of grading permit | Applicant / biological consultant | Fish and Wildlife |
| | | | B. Prepare and submit annual and final monitoring reports | Annually, beginning one year subsequent to initiation of construction until five years after construction or until performance standards have been met, whichever period is longer | Applicant / biological consultant | <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> |

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| | | <p>release of the turtles back into the ponds;</p> <ul style="list-style-type: none"> • a schedule and action plan for monitoring and reporting on the status of the turtle mitigation project; • criteria and performance standards by which to measure success; and, • contingency measures in the event that the mitigation effort is not successful. <p>Alternatively, if feasible, the temporary containment of all or part of the turtle population at the golf course ponds may be avoided if it can be demonstrated that the timing and duration of the period that the ponds would be unsuitable for the species (i.e., lacking water, cover, or food supply) coincides with the seasonal periods that the turtles would move to upland habitats and if the safe dispersal of the turtles between the ponds and the native habitats in the surrounding area could be ensured throughout Project construction. In this case, the Plan shall also specify the</p> | | | | |

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| | | <p>timing and duration of the period that the ponds would be unsuitable and methods and monitoring activities to ensure that both direct impacts to individuals and the population of turtles at the Project site would be avoided.</p> <p>Annual reports discussing the implementation, monitoring, and management of the western pond turtle mitigation project shall be submitted to LACDRP and the CDFW. The fifth annual report shall discuss the implementation, monitoring and management of the mitigation project and indicate whether the mitigation project has, in part, or in whole, been successful based on established performance standards. If performance standards have been satisfied, the mitigation shall be considered complete, and no further reporting shall be required. If performance standards have not been met, mitigation efforts shall be extended, with the incorporation of contingency measures, as identified in the Western Pond Turtle MMP.</p> | | | | |

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| 5.3-6 | Biological Resources | <p>Special-Status Roosting Bats</p> <p>To avoid the direct loss of bats that could result from removal of trees or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark) or structures that contain a hibernating bat colony, the following steps shall be taken:</p> <ul style="list-style-type: none"> To the extent feasible, tree removal, tree relocation, and demolition of vacant buildings and other suitable man-made structures shall be scheduled between October 1 and February 28, outside of the maternity roosting season. If trees must be removed during the maternity season (March 1 to September 30), or structures must be removed at any time of the year, a qualified bat specialist shall conduct a pre-construction survey to identify those trees or structures proposed for disturbance that could provide hibernacula or | A. Conduct bat surveys | Prior to issuance of grading or demolition permit | Applicant / biological consultant | Los Angeles County Department of Regional Planning California Department of Fish and Wildlife |
| | | | B. Prepare and Present Letter Report to LACDRP and CDFW | Prior to issuance of grading or demolition permit | Applicant / biological consultant | Los Angeles County Department of Regional Planning California Department of Fish and Wildlife |
| | | | C. Seal vacant buildings if bat surveys determine that bats are absent, install and maintain exclusionary devices | Prior to demolition activities, and maintained during construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning California Department of Fish and Wildlife |
| | | | D. Monitor the removal of trees and | During construction and demolition | Applicant / biological consultant | Los Angeles County Department of |

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| | | <p>nursery colony roosting habitat for bats.</p> <ul style="list-style-type: none"> Each tree or structure identified as potentially supporting an active maternity roost and each structure potentially supporting a hibernating colony shall be closely inspected by the bat specialist no greater than 7 days prior to disturbance to the tree or structure to more precisely determine the presence or absence of roosting bats. If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree shall be pushed lightly two to three times, with a pause of approximately 30 | buildings with significant roosting bat potential | | | <p>Regional Planning</p> <p>California Department of Fish and Wildlife</p> |

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| | | <p>seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and shall remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.</p> <ul style="list-style-type: none"> • Maternity season lasts from March 1 to September 30. Trees or structures determined to be maternity roosts shall be left in place until the end of the maternity season. A structure | | | | |

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| | | <p>containing a hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.</p> <p>The bat specialist shall document all demolition monitoring activities and prepare a summary report to the County upon completion of tree disturbance or building demolition activities.</p> | | | | |
| 5.3-7 | Biological Resources | <p>Bat Relocation If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area, preferably on the Malibu Institute property. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.</p> <p>In exceptional circumstances, such as when roosts cannot be avoided and bats cannot be evicted by non-invasive means, it may be necessary to capture and transfer</p> | A. Design and locate artificial bat roosts, if needed | Prior to issuance of grading and demolition permits | Applicant / biological consultant | <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> |
| | | | B. Capture and transfer bats, if needed | Prior to issuance of grading and demolition permits | Applicant / biological consultant | <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> |

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| | | <p>the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be subject to approval by LACDRP and CDFW.</p> <p>A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.</p> <p>Annuals reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to LACDRP and CDFW for five years following relocation or until performance standards are met, whichever period is longer.</p> | C. Prepare and submit annual monitoring reports to LACDRP and CDFW | Annually for five years following relocation or until performance standards are met, whichever period is longer | Applicant / biological consultant | <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> |
| 5.3-8 | Biological Resources | Nesting Bird Surveys Proposed project activities including, but not limited to, staging and disturbances to native and | A. Conduct weekly preconstruction bird or nest | From 30 – 3 days prior to disturbance to nesting habitat. | Applicant / biological consultant | Los Angeles County Department of Regional |

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| 5.3-8 | Biological Resources | <p>nonnative vegetation, structures, and substrates shall occur outside of the avian breeding season which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.</p> <p>If avoidance of the avian breeding season is not feasible, beginning thirty days prior to the initiation of construction activities, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed, including but</p> | surveys | From 30 – 3 days prior to disturbance to nesting habitat. | Applicant / biological consultant | Planning California Department of Fish and Wildlife |
| | | | B. Delay project activities within 300 or 500 ft. of nests or nesting habitat until August 31 or until nests are vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. | During construction (February 1 through August 31) | Applicant / biological consultant | Los Angeles County Department of Regional Planning California Department of Fish and Wildlife |
| | | | C. Submit construction monitoring documentation | During construction (February 1 through August 31) | Applicant / biological consultant | Los Angeles County Department of Regional Planning California Department of |

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| | | <p>not limited to site preparation, grading, construction, tree removal, landscaping removal, pond or detention basin maintenance, or building demolition and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent shall delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the qualified biologist could continue the surveys in order to locate any nests.</p> <p>If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and</p> | | | | Fish and Wildlife |

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| | | <p>there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate a buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area. The project proponent shall provide LACDRP the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.</p> <p>If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he / she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to LACDRP and, upon request, CDFW. Based on the submitted information, LACDRP</p> | | | | |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | (and CDFW, if CDFW requests) will determine whether to allow a narrower buffer. The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain outside the demarcated buffer and that the flagging / stakes / fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to LACDRP during the grubbing and clearing of vegetation, and shall notify LACDRP immediately if project activities damage active avian nests. | | | | |
| 5.3-9 | Biological Resources | The following measures shall be implemented during the construction phase to avoid impacts to ESHAs and other sensitive habitats located adjacent to the Project limits of disturbance, as well as the flora and fauna associated with the ESHAs: a) Prior to all ground disturbing and construction activities, the | A. Demarcate the Project limits of disturbance | Prior to issuance of grading permit and during construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | B. Install and maintain exclusionary fencing | Prior to issuance of grading permit and during construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>Applicant shall demarcate the Project limits of disturbance with sturdy exclusionary fencing to prevent encroachment of Project activities into native habitats adjacent to the Project limits of disturbance and to dissuade wildlife from entering the construction area. The fencing shall be marked with highly visible flagging and signed as a sensitive area. The LACDRP shall verify the fencing has been correctly installed prior to the start of ground disturbance or construction activities. The temporary fencing shall be routinely inspected and maintained in functional condition for the duration of Project construction.</p> <p>b) All construction and maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.</p> <p>c) If construction lighting is required, then lighting shall be</p> | | Prior to issuance of grading permit and during construction | Applicant / biological consultant | Planning |
| | | | C. Add flagging and signage to fencing | Prior to issuance of grading permit and during construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | D. Monitor ground disturbing and construction activities within 100 feet of sensitive native habitats | During construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | E. Limit activities to designated hours | During construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | F. Direct and shield construction lighting if | During construction | Applicant / biological consultant | Los Angeles County Department of Regional Planning |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>pointed away from native habitats and shall be pointed downward and shielded to the extent practicable.</p> <p>d) All on-site construction equipment shall have properly operating mufflers.</p> <p>e) All pets shall be on a leash and shall not be allowed to enter native habitats at the Project site.</p> <p>f) All food-related trash shall be disposed of in closed containers.</p> | required | | | Planning |
| 5.3-10 | Biological Resources | <p>Invasive Plant Species and Landscaping, Bio-detention Basins, and Bio-swales</p> <p>Prior to the issuance of a grading permit, a Landscaping Plan shall be reviewed and approved by LACDRP to ensure that only non-invasive ornamental plant species or appropriate native plant species are used in landscaping, bio-detention basins, and bio-swales in future development of the project site. The review shall include a comparison of proposed plants with the following lists of invasive plant species: the California Invasive</p> | A. Submit approved Landscaping Plan | Prior to issuance of grading permit | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | B. Adhere to approved landscaping plan | Life of Project | Applicant | Los Angeles County Department of Regional Planning |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>Plant Inventory (California Invasive Plant Council 2006, 2007), the California Invasive Plant Council Watchlist (December 2011), the Federal Noxious Weed List (December 10, 2010), the California Department of Food and Agriculture Pest Ratings of Noxious Weed Species and Noxious Weed Seed (January 2010), the Significant Ecological Area Draft Design Manual list of "L.A. County Non-Native Species to Avoid in Landscaping," (December 2012), and the draft Santa Monica Mountains Local Coastal Program list of "Plants to Avoid in the Santa Monica Mountains."</p> <p>The Landscaping Plan shall include all plant species that would be planted as part of the proposed project, including but not limited to plant species that would be planted within bio-detention basins and bio-swales and the drought-tolerant grasses for the golf course. Species used in bio-detention basins and bio-swales shall be locally-indigenous natives. Drought-tolerant</p> | | | | |

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| | | grasses for the golf course shall be non-invasive and shall not be capable of hybridizing with native grasses in the surrounding habitat. LACDRP shall conduct site inspections to ensure the appropriate plant materials have been planted and are maintained through the life of the project. | | | | |
| 5.3-11 | Biological Resources | Pest and Invasive Species Management Plan A Pest and Invasive Species Management Plan shall be developed and implemented that emphasizes eradication and control of problem species within the development limits and fuel modification zones, including pests that interfere with the management goals of the Malibu Institute and invasive plant and animal species that could adversely affect the quality of native habitats at the Project site and in the surrounding area. If invasive species from the Project site spread to natural areas, control of invasive species shall extend to those areas as well. The Plan shall incorporate sustainable | A. Prepare and submit Pest and Invasive Species Management Plan | Prior to grading permit, then updated every ten years | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | B. Implement Pest and Invasive Species Management Plan | Beginning with commencement of ground disturbance and continuing for life of project | Applicant / biological consultant | Los Angeles County Department of Regional Planning |
| | | | C. Prepare monitoring reports | Biannually, beginning one year subsequent to commencement of ground disturbance for life of project | Applicant / biological consultant | Los Angeles County Department of Regional Planning |

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| | | <p>methods, avoid or minimize the use of chemical fertilizers, insecticides, herbicides, fungicides, and rodenticides, and ensure that toxic chemicals or excessive nutrient loads do not adversely affect native habitats and wildlife. Success criteria shall be tied to the control and eradication of problem species, and the lack of adverse effects of pest management practices and fertilizer use on sensitive species and habitats both at the Project site and in the surrounding area, including downstream from the Project site. The Plan shall allow for adaptation of management strategies, as necessary, and shall include periodic monitoring, reporting, and evaluation of progress. In broad terms, the Plan shall at a minimum include:</p> <ul style="list-style-type: none"> • Specific objectives; • Target species and problem areas; • Prioritization of threats; • Success criteria; • Management strategies that would prevent the | | | | |

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| | | <p>establishment of problem species;</p> <ul style="list-style-type: none"> • Management strategies that would result in eradication and/or control of problem species; • Implementation plan; • Monitoring plan; and, • Contingency measures. <p>The Plan shall incorporate but shall not be limited to the following practices and conditions:</p> <ul style="list-style-type: none"> • Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized; • Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. • Biological and organic controls shall be used to the maximum extent feasible; | | | | |

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| | | <ul style="list-style-type: none"> Water quality shall be monitored and water quality test results evaluated with respect to potential adverse effects on sensitive species and habitats; Chemical pesticides and fertilizers shall be limited to the immediate vicinity of buildings and exotic landscape plantings; Bt (<i>Bacillus thuringiensis kursaki</i>) or non-native predatory snails (i.e., decollate snails) shall not be used for pest control; Rodent eradication efforts shall emphasize the use of traps and shall avoid chemical controls, unless otherwise directed by the Department of Health Services (DOHS); Anticoagulant rodenticides shall not be used, as they are a risk to non-target species and have been identified as a factor in the deaths of large predators in the Santa Monica | | | | |

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| | | <p>Mountains; and,</p> <ul style="list-style-type: none"> • Application of non-anticoagulant rodenticides shall be limited to the vicinity of buildings, facilities, and developed areas and shall not extend to the landscaped areas on the golf course grounds. <p>The Plan shall be adhered to for the life of the Project and shall be updated every ten years. The Plan shall be prepared by qualified specialists in coordination with personnel responsible for pest and invasive species management at the Malibu Institute, and shall be approved by the Director of Planning prior to issuance of a grading permit for the Project. Implementation of the Plan shall begin with commencement of ground disturbance for the project. Biannual reports shall be prepared by a qualified specialists, which document methods, treatments, and monitoring, and evaluate the implementation of the Plan and whether success criteria have been</p> | | | | |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | met. The reports shall be submitted by December 31 to the Los Angeles County Director of Planning for review who will ensure the Plan has been fully implemented and that the success criteria have been met. | | | | |
| 5.3-12 | Biological Resources | Prior to issuance of the grading permit, the Applicant shall prepare and submit to the USACE for verification a "Preliminary Delineation Report for "waters of the U.S."" and a Streambed Alteration Notification package to the CDFW for alterations to USACE jurisdictional "waters of the U.S." and CDFW jurisdictional streambed and habitat. A Clean Water Act Section 404 permit shall be obtained from the USACE, and the Applicant shall comply with the permit conditions. A Streambed Alteration Agreement shall be entered into with the CDFW under Section 1602 of the California Fish and Game Code, and the Applicant shall comply with the associated conditions. A Clean Water Act Section 401 Water Quality Certification shall be obtained from the RWQCB, and the Applicant | A. Prepare and submit a "Preliminary Delineation Report for waters of the U.S." | Prior to issuance of grading permit | Applicant | California Department of Fish and Wildlife United States Army Corps of Engineers Regional Water Quality Control Board |
| | | | B. Prepare and submit a Streambed Alteration Notification package to the CDFW | Prior to issuance of grading permit | Applicant | California Department of Fish and Wildlife |
| | | | C. Obtain Clean Water Act Section 404 permit from USACOE | Prior to issuance of grading permit | Applicant | United States Army Corps of Engineers |
| | | | D. Obtain | Prior to grading | Applicant | California |

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| | | shall comply with the certification conditions. Mitigation for unavoidable impacts to USACE jurisdictional "waters of the U.S." and CDFW jurisdictional streambed and habitat shall be provided through implementation of the Habitat Mitigation and Monitoring Program, as required by MM5.3-13. | Section 1602 Streambed Alteration Agreement from CDFW | permit | Applicant | Department of Fish and Wildlife |
| | | | E. Obtain Clean Water Act Section 401 Water Quality Certification from RWQCB | Prior to grading permit | Applicant | Regional Water Quality Control Board |
| 5.3-13 | Biological Resources | The Project shall implement the requirements of the final approved Habitat Mitigation and Monitoring Program, which shall mitigate for permanent impacts to 0.032 acres of CDFW jurisdictional habitat, 0.002 acres of USACE wetland "waters of the United States", and 0.03 acres of USACE non-wetland "waters of the United States" at a 2:1 ratio. Due to the overlap of the jurisdictional areas that would be permanently impacted, a total of 0.032 acres consisting of 0.002 acres of wetland "waters of the United States"/CDFW jurisdictional habitat and 0.03 acres of non-wetland "waters of the United States"/C | A. Prepare and Submit Final Habitat Mitigation and Monitoring Program to LACDRP, ACOE, CDFW, and RWQCB | Prior to grading permit | Applicant | Los Angeles County Department of Regional Planning California Department of Fish and Wildlife United States Army Corps of Engineers Regional Water Quality Control Board |
| | | | B. Implement Final | To be implemented | Applicant | Los Angeles County |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>DFW jurisdictional habitat shall be mitigated.</p> <p>Also as part of the Habitat Mitigation and Monitoring Program, the Project shall mitigate for temporary impacts to 4.42 acres of CDFW jurisdictional habitat, 2.19 acres of USACE wetland "waters of the United States", 1.63 acres of USACE non-wetland "waters of the United States", and 4.10 acres of single-parameter wetlands at a 2:1 ratio. Due to the overlap of jurisdictional areas that would be temporarily impacted, a total of 4.42 acres consisting of 0.32 acres of CDFW jurisdictional habitat, 0.28 acres of CDFW jurisdictional habitat/single-parameter wetlands, 2.19 acres of USACE wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands, and 1.63 of non-wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands shall be mitigated.</p> | <p>Approved Habitat Mitigation and Monitoring Program</p> <p>C. Prepare and submit annual and final monitoring reports</p> | <p>over a five-year period, and initiated prior to development of the Project if feasible, but shall not interfere with Project development or the planned eradication of invasive animals from aquatic habitats at the site.</p> <p>Annual Reports shall be provided for a minimum of five years with the first report due within a year of the HMMP initiation. The fifth annual report shall be the final report, unless success criteria have not been met to the satisfaction of</p> | <p>Applicant</p> <p>Applicant</p> | <p>Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> <p>United States Army Corps of Engineers</p> <p>Regional Water Quality Control Board</p> <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> <p>United States Army Corps of Engineers</p> <p>Regional Water</p> |

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| | | <p>The Habitat Mitigation and Monitoring Program shall mitigate for permanent and temporary impacts to jurisdictional areas by the on-site or off-site restoration of degraded in-kind wetland and riparian habitats, or by a contribution to an in-lieu fee program approved by the LACDRP, USACE, and the CDFW. Restoration should be implemented only where suitable conditions exist to support viable wetland and riparian habitat. If the mitigation will be performed off-site, to the extent feasible the restoration should be implemented within the Trancas Canyon Watershed. Also to the extent feasible, in-lieu fees shall be used for the restoration of in-kind wetland and riparian habitat within the Trancas Canyon Watershed.</p> <p>The final Habitat Mitigation and Monitoring Program shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the LACDRP, USACE, RWQCB, and CDFW, in compliance</p> | | the Director of Regional Planning, USACE, and the CDFW. | | Quality Control Board |

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| | | <p>with Clean Water Act Sections 401 and 404 and California Fish and Game Code 1602 and supporting regulations, prior to issuance of a grading permit for the Project. The Program shall be based on the USACE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. In broad terms, this Program shall at a minimum include:</p> <ul style="list-style-type: none"> • Description of the project/impact and mitigation sites; • Specific objectives; • Success criteria; • Plant palette; • Implementation plan; • Maintenance activities; • Monitoring plan; and • Contingency measures. <p>Success criteria shall at a minimum be evaluated based on appropriate survival rates and percent cover of planted native species, as well as eradication and control of invasive</p> | | | | |

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| | | <p>plant and animal species within the restoration area.</p> <p>The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation program.</p> <p>To the extent possible, the mitigation project or in-lieu fee contribution shall be initiated prior to development of the Project. If the compensatory mitigation involves the restoration of on-site wetland and riparian habitats that were removed or disturbed by project grading or pond maintenance, the mitigation project shall be initiated as the earliest possible date, but shall not interfere with project development or the planned eradication of invasive animals from aquatic habitats at the site. The mitigation project shall be implemented over a five-year period</p> | | | | |

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| | | and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the LACDRP, USACE, and the CDFW. Five years after project start, a final report shall be submitted to the LACDRP, USACE, and CDFW, which shall at a minimum discuss the implementation, monitoring and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established success criteria. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. The project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Director of Regional Planning, | | | | |

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| | | USACE, and the CDFW. | | | | |
| 5.4-1 | Cultural Resources | A protective fence shall be installed and maintained surrounding site CA-LAN-527 prior to all earth moving activities that occur within 100-feet of the site (within the existing fairway for Hole #18, approximately 100 feet from the green). | Installation of protective fencing | Prior to issuance of grading permit for the golf course area | Applicant | County of Los Angeles Department of Regional Planning |
| 5.4-2 | Cultural Resources | A qualified archaeologist shall monitor all stripping and other earthmoving activities occurring within 100-feet of site CA-LAN-527 (within the existing fairway for Hole #18, approximately 100 feet from the green). | A. Field monitoring | During stripping and earthmoving activities at this location | Applicant, Archaeological Monitor | County of Los Angeles Department of Regional Planning |
| | | | B. Maintain log demonstrating compliance | During stripping and earthmoving activities at this location | Applicant, Archaeological Monitor | County of Los Angeles Department of Regional Planning |
| 5.4-3 | Cultural Resources | In the event unknown archaeological resources are discovered during Project construction, all ground-disturbing activities within the vicinity of the find shall cease until a qualified archaeological or paleontological monitor inspects the resources, identifies appropriate treatment, and documents the resource as necessary. The archaeologist shall | A. Field monitoring | During stripping and earthmoving activities. | Applicant, Archaeological Monitor | County of Los Angeles Department of Regional Planning |
| | | | B. Maintain log demonstrating compliance | During stripping and earthmoving activities | Applicant, Archaeological Monitor | County of Los Angeles Department of Regional Planning |

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| | | record all recovered archaeological resources on the appropriate California Department of Parks and Recreation Site Forms to be filed with the California Historical Resources Information System—South Central Coastal Information Center, evaluate the significance of the find, and if significant, determine and implement the appropriate mitigation in accordance with the U.S. Secretary of the Interior and California Office of Historic Preservation guidelines, including but not limited to a Phase III data recovery and associated documentation. The archaeologist shall prepare a final report about the find to be filed with the Applicant, the County of Los Angeles Department of Regional Planning, and the California Historical Resources Information System—South Central Coastal Information Center, as required by the California Office of Historic Preservation. The report shall include documentation of the resources recovered, a full evaluation of the eligibility with respect to the California Register of | | | | |

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| | | Historical Resources, and treatment of the resources recovered. In the event of a find, archaeological and Native American monitoring shall be provided thereafter for any ground-disturbing activities within the boundary of the archaeological site. | | | | |
| 5.4-4 | Cultural Resources | In the event human remains are encountered during construction activities, all ground-disturbing activities within the area of the human remains shall cease and the County coroner shall be notified. In the event the remains are determined to be of Native American descent, the coroner shall notify the California Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who shall have 48 hours from notification by the Native American Heritage Commission to inspect the site of the discovery of Native American remains and to recommend to the Applicant or landowner means for the treatment and disposition of the | A. Maintain documentation demonstrating compliance | During construction | Applicant/ Construction Manager/ Qualified Archaeologist | County of Los Angeles Department of Regional Planning |
| | | | B. Native American monitoring as applicable | During construction | Applicant/ Construction Manager/ Qualified Archaeologist | County of Los Angeles Department of Regional Planning Native American Heritage Commission |
| | | | C. Site inspection as needed | During construction | Applicant/ Construction Manager/ Qualified Archaeologist | County of Los Angeles Department of Regional Planning |

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| | | human remains and any associated grave goods. The Applicant or landowner shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance. In the event Native American remains are found, Native American monitoring shall be provided thereafter for any ground-disturbing activities in the area of the remains. | | | | |
| 5.4-5 | Cultural Resources | A paleontological monitor, supervised by a qualified paleontologist, shall monitor all excavation activities within previously undisturbed sedimentary soils (Quaternary Alluvium) in the lower lying central-southern portion of the site. If fossils are found, the paleontological monitor shall be authorized to halt the ground-disturbing activities within 25 feet of the find in order to allow evaluation of the find and determination of appropriate treatment in accordance with Society of Vertebrate Paleontology guidelines for identification, evaluation, disclosure, avoidance or recovery, and | A. Paleontological monitoring | During excavation in the referenced areas | Applicant/ Construction Manager/ Qualified Paleontologist | County of Los Angeles Department of Regional Planning |
| | | | B. Maintain log demonstrating compliance | During excavation in the referenced areas | Applicant/ Construction Manager/ Qualified Paleontologist | County of Los Angeles Department of Regional Planning |

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| | | curation, as appropriate. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. The paleontologist shall prepare a final report on the monitoring. If fossils are identified, the report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Applicant, County of Los Angeles Department of Regional Planning, and the Natural History Museum of Los Angeles, and shall accompany any curated fossils. | | | | |
| 5.7-1 | Hazards/Hazardous Materials | If previously unidentified soil contamination is observed by sight or smell or indicated by testing by a qualified professional using a portable volatile organic compound analyzer during excavation and grading activities associated with removal of pond sediments or in areas used for storage of fuels or pesticides, excavation and grading within such an area shall be temporarily halted and redirected around the area until the | A. Submit documentation summarizing the results of any soil testing and verify whether applicable regulatory contaminant thresholds are met | During grading and excavation | Applicant/ Construction Manager/ Qualified Professional | County of Los Angeles Fire Department South Coast Air Quality Management District California Department of Toxic Substances Control, as |

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| 5.7-1 | Hazards/Hazardous Materials | appropriate evaluation and follow-up measures are implemented, as contained in the South Coast Air Quality Management District's Rule 1166, to make the area suitable for grading activities to resume. In the event contamination is found, the Applicant shall notify the Los Angeles County Fire Department, the South Coast Air Quality Management District, and/or the California Department of Toxic Substances Control, as applicable. The contaminated soil shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed and disposed of in accordance with all applicable federal, State, and local laws and regulations. | A. Submit documentation summarizing the results of any soil testing and verify whether applicable regulatory contaminant thresholds are met | During grading and excavation | Applicant/Construction Manager/Qualified Professional | applicable |
| | | | B. Evaluation, management, and disposal, as applicable | Before grading and excavation can resume in the contaminated areas | Applicant/Construction Manager/Qualified Professional | County of Los Angeles Fire Department South Coast Air Quality Management District California Department of Toxic Substances Control, as applicable |
| 5.7-2 | Hazards/Hazardous Materials | Prior to the commencement of demolition of the abandoned residence/hunting lodge building, | Collection and analysis of biological | Prior to issuance of demolition permit | Applicant | County of Los Angeles Department of |

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| | | appropriate biological samples shall be collected and analyzed to determine if conditions represent a biological hazard (e.g. hantavirus) due to large amounts of rat feces and urine. Prior to entering the building, appropriate personal protection equipment shall be worn by all personnel. | samples | | | Public Health |
| 5.7-3 | Hazards/Hazardous Materials | All hazardous materials within the Project site shall be acquired, handled, used, stored, transported, and disposed of in accordance with all applicable federal, State, and local requirements. | Maintain log demonstrating compliance | During construction and operation | Applicant/Construction Manager | County of Los Angeles Fire Department |
| 5.7-4 | Hazards/Hazardous Materials | Prior to any storage or usage of regulated hazardous materials on-site (including pool maintenance chemicals, fertilizers, herbicides, pesticides, insecticides, lubricants, etc.), the Applicant shall obtain approval from the Los Angeles County Fire Department for a Hazardous Materials Business Plan (HMBP) covering the use and storage of all regulated hazardous chemicals and materials to be used and/or stored onsite. Qualified environmental personnel or safety engineers shall develop and | A. Preparation and approval of a Hazardous Materials Business Plan | Prior to issuance of grading permit | Applicant, Safety Engineer | County of Los Angeles Fire Department |
| | | | B. Maintain log demonstrating compliance | During construction and operation | Applicant/Construction Manager | County of Los Angeles Fire Department |

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| | | implement a business plan and a health and safety plan in order to ensure that compliance issues regarding the proper containment, usage, disposal and transportation practices are used, if required. | | | | |
| 5.7-5 | Hazards/Hazardous Materials | Prior to occupancy, the payment of a Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District would be required, for the purpose of supplementing funds for the acquisition, construction, improvement and equipping of facilities necessary to deliver fire protection services within the County. The fee shall be based on the applicable County of Los Angeles Developer Fee Program, last updated on November 27, 2012, to be effective February 1, 2013. The current Developer Fee Program for Area of Benefit 1, which includes the Project site, provides for collection of \$0.9292 per square foot for new floor area development. Administration and collection of the Developer Fee shall be the responsibility of the Consolidated Fire Protection District | Calculation and payment of Development Impact Mitigation Fee | Prior to issuance of certificate of occupancy | Applicant, Consolidated Fire Protection District of Los Angeles County | Consolidated Fire Protection District of Los Angeles County |

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| | | of Los Angeles County. | | | | |
| 5.8-1 | Hydrology and Water Quality | All grading associated with the implementation of the Project shall take place within the previously disturbed areas of the existing Malibu Golf Club, including the fairways, tee boxes, and greens, as indicated in Figure 5.3-7. | Preparation of Grading Plans | Prior to issuance of Grading Permit | Applicant, Grading Contractor | County of Los Angeles Department of Regional Planning |
| 5.8-2 | Hydrology and Water Quality | The Project shall remove all septic tanks throughout the Project site with the exception of the septic tank serving the caretaker's house in the northern portion of the Project site, and shall install an on-site wastewater treatment system with effluent meeting Title 22 standards for reuse as irrigation for the remodeled golf course. | A. Submit final plans that indicate where existing septic tanks are located, and which ones are to be removed | Plan Check | Applicant | County of Los Angeles Department of Sanitation |
| | | | B. Install onsite Wastewater Recycling System | Prior to issuance of certificate of occupancy | Applicant | County of Los Angeles Department of Sanitation |
| 5.10-1 | Noise | All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and the hours of 7:00 a.m. to 7:00 p.m. on Saturday. Construction activities | Limit construction and maintenance noise to designated hours, except for emergencies and maintain | During construction | Applicant, General Contractor | County of Los Angeles Department of Regional Planning |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | shall be prohibited on Sunday and legal holidays except for emergency maintenance or repair. | documentation demonstrating compliance | | | |
| 5.10-2 | Noise | All on-site construction equipment shall be equipped with noise shielding and muffling devices. All equipment shall be properly maintained in accordance with manufacturers' specifications to assure that no additional noise, due to worn or improperly maintained parts is generated. | Use properly maintained noise shielded, muffled equipment and maintain documentation demonstrating compliance | During construction | Applicant, General Contractor | County of Los Angeles Department of Regional Planning |
| 5.10-3 | Noise | All construction staging areas shall be located at least 500 feet from the nearest homes at which point peak noise levels would have diminished by at least 20 dB from their near-source maximum levels | Properly locate construction staging areas | During construction | Applicant, General Contractor | County of Los Angeles Department of Regional Planning |
| 5.10-4 | Noise | Use of outdoor amplified music, sounds, or public address systems shall cease by 10:00 p.m. | Provide employee education materials that describe this prohibition, provide such material to any vendor contracted to provide outdoor entertainment and maintain a | During operations | Applicant | County of Los Angeles Department of Regional Planning |

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| | | | log demonstrating compliance | | | |
| 5.11.1-1 | Public Services - Fire | The Project shall pay the fee required by the Consolidated Fire Protection District's Developer Fee Program for new residential and commercial construction to support fire stations and apparatus located within the City of Malibu that provide fire suppression and emergency services to the Project site, which is within Area of Benefit 1. | Pay fee required by the Consolidated Fire Protection District | Prior to issuance of building permit | Applicant | Consolidated Fire Protection District of Los Angeles County |
| 5.11.1-2 | Public Services - Fire | The Project shall comply with the applicable Uniform Fire Code (UFC) and LACFD ordinance requirements for development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains to maintain adequate fire-flow pressures and volumes; the location and numbers of fire hydrants; the use of indoor sprinklers and sensors; the re-vegetation of all manufactured slopes with fire retardant (native) landscaping; and brush clearance. | Comply with UFC and LACFD ordinances | Prior to issuance of building permit | Applicant | County of Los Angeles Fire Department |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| 5.11.1-3 | Public Services - Fire | The Applicant shall install and test, or bond for all required fire hydrants prior to recordation of the Final Map for the Project. | Install and test or bond for fire hydrants | Prior to issuance of building permit or recordation of Final Map, whichever occurs first | Applicant | County of Los Angeles Fire Department |
| 5.11.1-4 | Public Services - Fire | The Applicant shall obtain approval from LACFD of a final "Fuel Modification Plan" for the Project prior to commencement of construction. | Prepare and submit final Fuel Modification Plan | Prior to issuance of building permit | Applicant | County of Los Angeles Fire Department - Fuel Modification Unit |
| 5.11.1-5 | Public Services - Fire | The Applicant shall provide detailed site plan maps and facilities drawings of the completed facilities and areas for the Project to the LACFD, which clearly illustrate access routes, building recognition/identification numbers/names, addresses, building and parking structure floor plans, the locations of emergency exits, and any other pertinent information that would facilitate LACFD response. | Provide detailed site plan map and facilities drawings | Prior to issuance of building permit | Applicant | County of Los Angeles Fire Department |
| 5.11.1-6 | Public Services - Fire | The Project shall comply with all applicable State Fire Marshall requirements for the installation of fire alarms, firewalls and dampers, and detector devices. | Comply with applicable State Fire Marshall and County of Los Angeles Fire | Prior to issuance of building permit | Applicant | California Department of Forestry and Fire Protection (CAL FIRE) |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | | Department requirements | | | County of Los Angeles Fire Department |
| 5.13-1 | Traffic and Access | <p>The Project shall be required to contribute to the cost of implementing intersection improvements for the U.S. 101 SB ramps/Kanan Road intersection as identified in the Agoura Village Specific Plan EIR as a mitigation measure. The planned improvements would implement widening the northbound approach to provide a third through-lane and restriping the southbound approach to provide an additional left-turn lane. The westbound approach would also be widened to accommodate the dual southbound left-turns.</p> <p>The Project would contribute a total of 51 peak hour trips to this intersection, which would represent four percent of the 1,123 peak hour trips added to this intersection by the related projects. Therefore, the Project's fair share contribution to these intersection improvements would be four percent of the</p> | | | | |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | estimated \$169,000 cost, which would be \$6,760.00. | | | | |
| 5.14-1-1 | Public Utilities - Water Supply | <p>The applicant shall install a detector check valve with its own pressure reducing valve parallel to the existing water meter and Pressure Reducing Valve (PRV) on the Project site approved by the Department of Public Works in accordance with LVMWD standards in order to provide a fire flow on the Project site as required by the County of Los Angeles Fire Department.</p> <p>This development may require fire flows up to 3,000 gallons per minute at 20 pounds per square inch residual pressure for up to a three hour duration. A reduction in the required fire flow for this development can be determined based on the total square footage of the largest building, the type of constructions used, and if the building is equipped with an approved fire sprinkler system. The required fire flow cannot be reduced below 2,000 gallons per minutes at 20 pounds per square inch residual</p> | Install detector check valve as required | Prior to issuance of building permit | Applicant | County of Los Angeles Fire Department |
| | | | Submit plans for all required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) for review and approval | Prior to issuance of building permit | Applicant | County of Los Angeles Fire Department |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | pressure for up to a two hour duration. All required public and private fire hydrants shall comply with the required fire flow. All required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) shall be reviewed and approved prior to building permit issuance. | | | | |
| 5.14.3-1 | Public Utilities - Solid Waste Disposal | <p>The applicant shall implement a recycling program for the operational phase of the Project. The recycling program shall be monitored to ensure that the program advances along with technological advancements in waste management industry-wide. At a minimum the recycling program shall maintain existing levels of waste diversion with improvements in waste diversion over time that exceed existing levels and are in keeping with overall Countywide criteria. Some of the recycling criteria that shall be met or exceeded include:</p> <ul style="list-style-type: none"> • All green waste generated onsite (e.g. tree trimmings, brush clearance, grass, etc.) | Implement recycling program and maintain documentation demonstrating compliance | During operations | Applicant | County of Los Angeles Department of Regional Planning |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>shall be either chipped and reused for pathways or landscaping (e.g. wood chips), or shall be composted onsite for use within the Project;</p> <ul style="list-style-type: none"> Where trash receptacles are placed in common areas of the Project site for use by guests, clearly marked recyclable bins shall also be provided for beverage containers such as bottles and cans; Food waste shall be separated from other refuse and recyclable materials and composted onsite utilizing a worm bin to convert non-fatty food wastes into potting soil (called ermicompost) for onsite landscape maintenance use; Batteries, toner cartridges and other office tech equipment such as computer monitors, printers, and cell phones shall be recycled; Offices shall promote recycled paper usage that | | | | |

| # | Environmental Factor | Mitigation | Action Required | When Monitoring to Occur | Responsible Agency or Party | Monitoring Agency or Party |
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| | | <p>contains at least 30 percent recycled content and is Green Seal Certified;</p> <ul style="list-style-type: none"> • A Central Recycling Center (CRC) shall be located on-site in an area where all of recycled materials are to be stored until transported to the processor, and will include roll-off containers for separation of various recycling commodities; • The Project shall provide an on-site baler for all cardboard and newspaper, equipment to crush glass items and cans, and compactors for all other waste to minimize volumes; • The Project shall provide bulk dispensing systems throughout the property for toiletry items such as soaps and shampoos to minimize packaging; and • The Project shall provide cloth towel rolls or hand dryers in common area restrooms instead of paper towels. | | | | |